

United States District Court

DEC 19 2014

SOUTHERN

DISTRICT OF
MCALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Hilda Guzman
A206 885 791
United States Citizen

PRINCIPAL
YOB: 1970

Case Number:

M-14-2398-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 18, 2014 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Martin Chay-Poz and Gustavo Noe Chamorro-Tumax, both citizens and nationals of Guatemala, along with seven (7) other undocumented aliens, for a total of nine (9), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On December 18, 2014 at approximately 9:50am the Rio Grande City Border Patrol Station received a call for assistance from the Rio Grande City Police Department. They had received a call from a concerned citizen regarding a beige Chevrolet Tahoe picking up suspected undocumented immigrants behind the Lacks Furniture store. Officer De La Cruz spotted a vehicle matching the description and performed a vehicle stop when the vehicle failed to maintain a single lane. Border Patrol was requested to determine the alienage of the eight occupants of the vehicle.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved to file:
J. V. H. 3
12/19/14

Frediberto Hernandez
Signature of Complainant

Frediberto Hernandez Senior Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

December 19, 2014
Date

at McAllen, Texas
City and State

Peter E. Ormsby U. S. Magistrate Judge
Name and Title of Judicial Officer

Peter E. Ormsby
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-2398-M

RE: Hilda Guzman

A206 885 791

CONTINUATION:

Upon the arrival of Border Patrol Agents, six passengers of the vehicle exited on the driver's side and ran into heavy traffic. After searching the area, agents were able to locate and apprehend five subjects. Upon questioning the subjects it was determined that the driver, later identified as Hilda GUZMAN, and her daughter, Elizabeth Manzo, were United States Citizens. The other subjects admitted to being illegally present in the United States.

Hilda GUZMAN and her daughter were read their Miranda Rights and agreed to answer questions without and attorney present. When asked about the stash house location, both subjects stated the undocumented immigrants were to be transported to 408 Chachalaca Street, Apartment 20 in Rio Grande City, Texas.

Homeland Security Investigations (HSI) was advised of the situation and decided to conduct a "knock and talk" to verify the information. Four additional undocumented immigrants were discovered at the location.

All subjects were placed under arrest and transported to the Rio Grande City Border Patrol Station for additional questioning.

NOTE: Elizabeth Manzo will not be prosecuted due to a lack of material witnesses being able to identify her.

PRINCIPAL STATEMENT:

Hilda GUZMAN was read her Miranda Rights at the Rio Grande City Border Patrol Station. She stated that she understood her rights as was willing to provide a statement without an attorney present.

Hilda Guzman stated she is a United States Citizen. She said she has been smuggling aliens for about three weeks and is paid \$70.00 per alien she transports. She stated that over the last three weeks she has smuggled about 100 people. She said she takes them to a stash house located at 408 Chachalaca Street, Apt 20 in Rio Grande City, Texas. She stated that today she received a call from an unknown man asking her to pick up undocumented immigrants in a neighborhood behind the lacks furniture store. She described her vehicle to him so the undocumented immigrants would know what vehicle to look for and she drove to the neighborhood. She then picked up six individuals and on her way to the stash house she was pulled over by police and arrested by Border Patrol.

MATERIAL WITNESS STATEMENTS:

Both material witnesses were read their Miranda Rights at the Rio Grande Border Patrol Station. Both subjects stated they understood their rights and were willing to provide a statement without an attorney present.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-2398-M

RE: Hilda Guzman

A206 885 791

CONTINUATION:

1. Martin Chay-Poz admitted to being a citizen and national of Guatemala. He claims that he made smuggling arrangements with an unknown man in Mexico and paid him \$1000 to be smuggled into the United States. He stated that after paying the smuggler, he was told to get into a truck with five other people and taken to a house in Camargo. He stayed there for a day and was then led to the river where a guide was waiting to take him and five others across the Rio Grande River. Once in the United States, they walked by a school and stopped by a dirt road. Thirty minutes later a beige SUV with two female occupants arrived and all six subjects got inside. Less than twenty minutes later they were stopped by police. He stated his partners told him to open the door so they could run. Chay was asked if he could identify the driver of the SUV and shown a photo lineup. Chay positively identified GUZMAN as the woman driving the vehicle.

2. Gustavo Noe Chamorro-Tumax admitted to being a citizen and national of Guatemala. He claims to have made smuggling arrangements in his hometown and agreed to pay \$6875 to be smuggled to the United States. He claims to have already paid \$4300. He stated that he rode a bus to Reynosa and then took another bus to Camargo. At the bus station in Camargo a man picked him up and took him to a house. The next day he was led to the edge of the Rio Grande River where he waited for four days to cross with five other people. After crossing the river, a guide told them a gold Tahoe would be waiting for them. He said they approached the Tahoe and the driver told two people to sit in the back. He stated it was very tight and uncomfortable in the back seat with six people. He said they drove for about five minutes before being pulled over by the police. The driver told her daughter "we are screwed" and when the police officer returned to his vehicle the told them "open the door and run". He stated that they ran and then were apprehended by Border Patrol. Chamorro was asked if he could identify the driver of the Tahoe and shown a photo lineup. Chamorro positively identified GUZMAN as the driver of the vehicle.